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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard C. Smith and Diann Y. Smith
Application No.: 10/769,158 Filing Date: January 29, 2004
Examiner: Phylesha L. Dabney Group Art Unit: 2614
Title: Ambidextrous Earpiece
Docket No.: M-15596 US Confirmation No. 7774

Irvine, California
September 26, 2007

Via Facsimile to (571) 273-8300

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

1) Amendment (9 pages)

Dated: 9-26, 2007

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Number of pages (including this sheet): 10

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Irvine, California
September 21, 2007**Via Facsimile to (571) 273-8300**Mail Stop AMD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RESPONSE TO OFFICE ACTION**

Dear Sir:

In response to the non-Final Office Action dated September 6, 2007, please amend the above-identified application as follows.